

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**SAMANTHA A SHONDEL**  
Claimant

**CBS STAFFING LLC**  
Employer

**APPEAL 21A-UI-19722-CS-T**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 10/18/20**  
**Claimant: Appellant (6)**

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Iowa Admin. Code r. 871-26.8(1) – Withdrawal of Appeal

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the January 12, 2021, (reference 02) unemployment insurance decision that disallowed benefits based upon claimant still being employed in her job. A telephone hearing was scheduled for October 29, 2021 at 11:00 a.m. Prior to the scheduled hearing date, the appellant requested the appeal be withdrawn.

**ISSUE:**

Should the request to withdraw the appeal be granted?

**FINDINGS OF FACT:**

The administrative law judge finds that: The appealing party requested to withdraw the appeal. The request was submitted in writing and was verified by the appellant.

**REASONING AND CONCLUSIONS OF LAW:**

Iowa Admin. Code r. 871-26.8(1) provides:

- (1) An appeal may be withdrawn at any time prior to the issuance of a decision upon the request of the appellant and with the approval of an administrative law judge or the manager or chief administrative law judge of the appeals bureau. Requests for withdrawal may be made in writing or orally, provided the oral request is tape-recorded by the presiding officer.

An appeal may be dismissed upon the request of a party or in the agency's discretion when the issue or issues on appeal have been resolved in the appellant's favor.

**DECISION:**

The request of the appealing party to withdraw the appeal of the unemployment insurance decision dated January 12, 2021, (reference 02) is approved. That decision shall stand and remain in full force and effect.

The hearing scheduled on October 29, 2021, at 11:00 a.m. is canceled.

A handwritten signature in black ink that reads "Carly Smith". The signature is written in a cursive style with a horizontal line extending from the end of the name.

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Carly Smith  
Administrative Law Judge  
Unemployment Insurance Appeals Bureau

October 22, 2021  
Decision Dated and Mailed

cs/mn

